

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
CHRISTOPHER KELLY and ARLEEN KELLY,

Plaintiff,

-against-

CITY OF NEW YORK, POLICE  
OFFICER EUGENE CHOI, SHIELD #3654,  
NEW YORK CITY JOHN AND JANE DOE  
POLICE OFFICERS

Defendants.  
-----X

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: :  
DATE FILED: 5/19/2017  
15 Civ. 00053(CM)

ECF Case

**NOTICE OF MOTION FOR  
VOLUNTARY DISMISSAL AND  
FOR LEAVE TO FILE AN  
AMENDED COMPLAINT  
PURSUANT TO FED. R. CIV. P.  
41, 15 and 21**

**MEMO ENDORSED**

PLEASE TAKE NOTICE THAT, Plaintiffs Christopher and Arleen Kelly, by their undersigned attorneys, hereby move before the Honorable Colleen McMahon, United States District Judge, Southern District of New York at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York 10007 on a date and time to be determined by the Court, for an order granting Plaintiffs' motion for voluntary dismissal of Plaintiff Arleen Kelly's claims pursuant to Federal Rule of Civil Procedure 41 and for leave to file a First Amended Complaint pursuant to Federal Rules of Civil Procedure 15 and 21 and granting Plaintiffs such other and further relief as the Court deems just and proper.

In support of this motion, Plaintiffs will rely upon the accompanying Memorandum of Law dated May 18, 2017, the Affidavit of Arleen Kelly dated May 18, 2017, the Affirmation of Kelly McCullough dated May 18, 2017 and exhibits annexed thereto.

*Motion for voluntary dismissal granted. See related order to show cause regarding motion to amend complaint.*

*Colleen McMahon*  
5/19/2017

Dated: New York, New York  
May 18, 2017

**STORCH AMINI PC**

By: /s/ Steven G. Storch

Steven G. Storch

Kelly McCullough

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*Attorneys for Plaintiffs*

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